

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

HELENA DIVISION

JAMES MICHAEL WARREN,

Plaintiff,

vs.

CHRIST WYANT,

Defendant.

Cause No. CV 10-00020-H-DWM-RKS

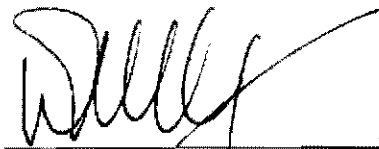
ORDER

Pending is Plaintiff James Warren's Petition for Injunction (dkt # 65). Mr. Warren seeks an Order requiring the Warden of Crossroads Correctional Center to provide him with access to his legal materials, copies, and legal reference books even though he is in the facility's "SMU" (presumably disciplinary segregation). As the Warden is not a party to this action, the Court does not have jurisdiction to issue the requested order. See Price v. City of Stockton, 390 F.3d 1105, 1117 (9th Cir. 2004) (per curiam) ("A federal court may issue an injunction if it has personal jurisdiction over the parties and subject matter jurisdiction over the claim; it may not attempt to determine the rights of persons not before the court.") (citation omitted).

FILED
SEP 23 2011
By PATRICK E. DUFFY, CLERK
DEPUTY CLERK, MISSOULA

Accordingly, Mr. Warren's Petition for Injunction (dkt # 65) is DENIED.

DATED this 23rd day of September, 2011.

A handwritten signature in black ink, appearing to read "Molloy", written over a horizontal line.

16:23 p.m.

Donald W. Molloy, District Judge
United States District Court